

### **REMARKS/ARGUMENTS**

Claims 1-11 and 13-32, as amended, are pending in this application. In light of the Office Action dated December 18, 2004, Applicants believe the amendments serve a useful clarification purpose. In particular, independent claims 1, 11, 13, and 23 have been amended to show that the time axis of the graph comprises time-based data generated by either the process, method, system, or computer program claimed, and the wording clarified to avoid recursion in the preamble and body of the claim. Accordingly, Applicants respectfully submit that the claim amendments do not limit the range of any permissible equivalents.

### **Rejections Under 35 U.S.C. §112**

In the Office Action mailed December 18, 2004, claims 1, 11, 13 and 23 were rejected under 35 U.S.C. §112 for failure to particularly point out and distinctly claim the subject matter of the invention. The claims 1, 13, and 23 have been amended to indicate that the time-axis of a graph comprises time-based data to clarify the subject matter of the invention. One of ordinary skill in the art would know that either any axis of a graph can indicate time based data, which results in that axis becoming the time axis of the graph, and that a label may be applied to this axis to explicitly state that it indicates time data.

### **Rejections Under 35 U.S.C. §103**

The Examiner rejected claims 1-4, 6-11, 13-16, 18-26, and 28-32 as being unpatentable over U.S. Patent No. 6,230,064 issued to Nakase et al. ("Nakase") in view of U.S. Patent No. 5,596,691 issued to Good et al. ("Good"). The applicant respectfully submits that the present invention is not obvious over Nakase in view of Good because the combination of Nakase and

Good suggested by the Examiner does not disclose or suggest all of the claimed elements of the present invention.

The crucial distinction resides in the data that is manipulated by the claimed invention versus that which is manipulated by the inventions referred to by the Examiner. The Applicant respectfully submits that Nakase does not provide sufficient basis for deeming the claims of the present invention obvious. In a given data series such as those discussed in both Nakase and the present claim, each data point contains at least two pieces of information: a timestamp (for example, indicating the time of collection) and a value (for example, indicating the value collected at that time).

Nakase only teaches manipulation of the values of the data points, as opposed to ordered manipulation of the time components. The present invention discloses manipulation of the time data itself, disregarding the values associated with a given time, and using that information to label the axis of a graph. As stated in Claim 1, the present invention generates “time labels by extracting and analyzing time label information from input data,” while Nakase neither discloses nor suggests any interaction with the time label information from the input data at all. Further, Nakase does not teach the creation of a multi-level data structure in which to store the extracted time data that is then used to label the axis of a graph, as also stated in Claim 1. For these reasons, Nakase alone does not render the above claimed invention obvious.

Combining Nakase with Good also does not render the claimed invention obvious, as Good only teaches a system for automatically changing at least one display characteristic of a plurality of drawing elements forming a drawing. Given that Nakase does not teach the

appropriate interaction and manipulation of the time data, any manipulation of the presentation of data as taught by Good is irrelevant to the present invention.

Therefore, as both Nakase and Good, either alone or combined, do not teach the automatic labeling of a time axis in a given graph, Applicants respectfully submit that the rejections based on Nakase in light of Good do not render the independent claim 1 obvious. Claims 11, 13, and 23 are similar to claim 1, and are thus traversed by the same reasoning. As claims 2-10, 14-22, and 24-32 depend from the aforementioned independent claims, the objections regarding these have been traversed as well.

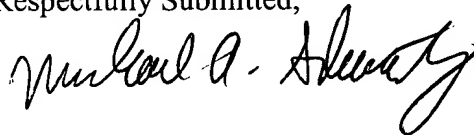
**Conclusion**

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

**Additional Fees**

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 19-5127 (19111.0013).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael A. Schwartz", written in a cursive style.

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